

**REMARKS/ARGUMENTS**

In response to Restriction Requirement mailed May 1, 2003, Applicants elect with traverse Group 1, claims 1 and 7, drawn to an isolated Ring box protein comprising a polypeptide having an amino acid sequence corresponding to SEQ ID NO:1. Applicants traverse the restriction of groups 1 3, and 4. With regard to group 3, Applicants elect the following species: cullin, CUL1; substrate recognition protein,  $\beta$ -TRCP; and linker protein Skp1. With regard to group 4, Applicants elect cullin, CUL2; substrate recognition protein, VHL; and linker protein Elongin C.

Amended claim 7 and new claims 25-26 incorporate the limitations of claims 2-6, which are now withdrawn. Support for this amendment is found throughout the specification, for example at original claims 2-7. This amendment adds no new matter. New claim 24 is directed to a human Ring box protein of claim 1. Support for this amendment is found throughout the specification, for example at page 9, lines 32-33. This amendment adds no new matter. In addition, new claims 24-30 are added and are directed to protein complexes comprising a Ring box protein comprising a polypeptide having an amino acid sequence corresponding to SEQ ID NO:1. Support for this amendment is found throughout the specification, for example at Figure 3 and its legend on page 7, lines 1-3; page 15, lines 21-29, Examples 5 and 6, pages 20-24 and original claims 8-16. This amendment adds no new matter.

The foregoing election is made with traverse. Applicants request that Groups 3 and 4, both including claims 8-16 and directed to SCF or VHL ubiquitin ligase complexes; and Group 1, an isolated Ring box protein comprising a polypeptide having an amino acid sequence corresponding to SEQ ID NO:1, be examined together, as the required Ring box protein corresponding to SEQ ID NO:1 in Groups 3 and 4 are also found in Group 1.

Applicants also assert that, at the very least, claim 1 is a genus claim linking the isolated Ring box proteins and dependent species claims to protein complexes comprising such proteins. As such, upon allowance of a linking genus claim, the restriction requirement should be withdrawn with respect to the species claims. MPEP 809.03. Applicants further note that when the requirement for restriction is predicated upon the non-allowability of a generic linking

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claim, Applicant is entitled to retain in the case claims to the non-elected invention. If the generic linking claim is allowed, the Examiner must then examine non-elected claims to species falling within the genus. MPEP 809.04.

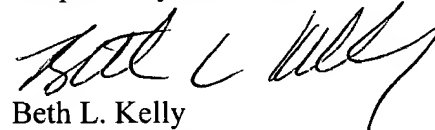
Finally, restriction of an application is discretionary. A restriction requirement is made to avoid placing an undue examination burden on the Examiner and the Office. Where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. MPEP 803.01. Applicants respectfully submit that examining the claims of Groups 1, 3, and 4 together (isolated Ring box proteins comprising SEQ ID NO:1 and ubiquitin ligase protein complexes comprising those proteins) would not place an undue burden on the Examiner. Applicants therefore respectfully request that the restriction requirement with respect to Groups 1, 3, and 4 be withdrawn.

#### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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